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Attorneys for Defendant KAN  
PACIFIC SAIPAN, LTD. dba  
Mariana Resort and Spa

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

KOICHI TANIGUCHI	) CIVIL ACTION NO. 08-0008
	)
Plaintiff,	)
	)
vs.	) <b>EMERGENCY MOTION UNDER LOCAL</b>
	) <b>RULE 7.1.H.3(B) FOR ORDER</b>
KAN PACIFIC SAIPAN, LTD. dba	) <b>SHORTENING TIME TO HEAR</b>
Mariana Resort and Spa	) <b>DEFENDANT'S AMENDED MOTION TO</b>
	) <b>EXTEND DEFENDANT'S EXPERT</b>
Defendant.	) <b>DISCLOSURE DEADLINE AND TO</b>
	) <b>EXTEND CERTAIN OTHER DEADLINES</b>

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On August 27, 2008, Defendant filed a motion to Extend Defendant's Expert Disclosure Deadline and to Extend Certain Discovery Deadlines. September 1, 2008 is the first deadline that needs extension. As shown in the amended moving papers, the extensions are needed because of a delay from Plaintiff in providing discovery.

Defendant has conferred with Plaintiff about granting the extension requested in the original motion and will continue to confer with Plaintiff. A copy of the amended motion was sent by facsimile to Plaintiff at about 10:30 a.m. this date.

Defendant has not made any other motions for an order shortening time.

Certificate Pursuant to Local Rule 7.1.h.3(b)

1(a). Attorney for Plaintiff

Law Offices of Douglas F. Cushnie

(670) 234-6843

(670) 234-9723 (facsimile)

1(b). Attorneys for Defendant

Information on first page of motion.

2. The nature of the emergency is the need to shorten time on the motion to alter time deadlines in the case management order of April 9, 2008, and to keep the case on track for a March 2009 trial.

3. Counsel for Defendant was served with a copy of the initial motion on August 27, 2008 and with a draft copy of the amended motion by facsimile at about 10:30 a.m. this date. He was in court at the time of a telephone call, and a message was left with his staff to call counsel for defendant.

In a court hearing on August 27, 2008, counsel briefly conferred with counsel for Plaintiff about the extended dates in the initial motion, and counsel for Plaintiff indicated that he had not had the opportunity to study the request.

Wherefore, Defendant's request that the accompanying Amended Motion to Extend Defendant's Expert Disclosure Deadline and to Extend Certain Other Deadlines be heard on shortened time in order that the Defendant can adequately prepare for trial of this matter.

Dated: August 28, 2008

RICHARD W. PIERCE LAW OFFICE, LLC  
  
**RICHARD PIERCE**

DOOLEY ROBERTS & FOWLER LLP

Dated: August 28, 2008

By: \_\_\_\_\_ /s/  
**TIM ROBERTS**

Attorneys for Defendant